

JUN 06 2003

Michael N. Milby, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In Re Enron Corporation	§	
Securities, Derivative &	§	MDL-1446
"ERISA Litigation	§	
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THIS DOCUMENT RELATES TO:	§	
	§	
All Cases	§	
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MARK NEWBY, ET AL.,	§	
	§	
Plaintiffs	§	
	§	
VS.	§	CIVIL ACTION NO. H-01-3624
	§	CONSOLIDATED CASES
	§	
ENRON CORPORATION, ET AL.,	§	
	§	
Defendants	§	

ORDER

Pending before the Court is Defendants Kenneth D. Rice's and Kevin P. Hannon's motion to postpone discovery and to stay answer during pendency of criminal proceedings (instrument #1456). Both men have been indicted on charges related to their roles in Enron Broadband Services on matters at issue in this civil litigation.

Lead Plaintiff's response raises no opposition, but states, "Recognizing that the Court has granted [Andrew] Fastow's motions to postpone discovery and to stay answer, Lead Plaintiff reserves the right to move the Court to lift the stays on discovery and answer and to call defendants Rice and Hannon as witnesses at the trial of this action."

Thus, for the reasons stated in its order of April 29, 2003 (#1353) granting Fastow's similar requests, the Court

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ORDERS that Rice's and Hannon's motion to postpone discovery and to stay answer during pendency of criminal proceedings is GRANTED.

SIGNED at Houston, Texas, this 5th day of June, 2003.


MELINDA HARMON
UNITED STATES DISTRICT JUDGE